Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 919-05413-1320-145		Date: 03/12/19	Time: 1200
Location: Candlewood Street / Deeboyar Avenue		City or Station: Lakewood	
Bureau/Station/Facility: Lakewood Station		Admin. Investigation: ○ YES ◉ NO	
Type of Force: Takedown, Personal Weapons (Hands), Personal Weapons (Knee), Resisted Handcuffing			
Incident Category: ○ 1 ○ 2 ◉ 3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call	☒ Observation	☐ Detail	☐ Foot Pursuit ☐ Vehicle Pursuit
IAB Notified: ◉ YES ○ NO	Person Notified: Lieutenant Dinh	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	Middle I. [redacted]	Rank DSG	
Sex: ◉ M ○ F	Race: W	Height: 6'00"	Weight: 210	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station		Work Assignment (Unit #, Module, etc.): 132G2			
Individual Force Used: Takedown, Personal Weapon (Knee)		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ◉ 2 ○ 3	
☒ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E 2

Employee # [redacted]	Last Name Burgess	First Name Seth	Middle I. A.	Rank DSG	
Sex: ◉ M ○ F	Race: W	Height: 6'01"	Weight: 181	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM; ◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Lakewood Station		Work Assignment (Unit #, Module, etc.): 132G2			
Individual Force Used: Personal Weapons (Hands), Resisted Handcuffing		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ◉ 3	
☒ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

E__

Employee #	Last Name	First Name	Middle I.	Rank	
Sex: ○ M ○ F	Race:	Height:	Weight:	Age:	Shift: ○ EM ○ Day ○ PM; ○ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment:		Work Assignment (Unit #, Module, etc.):			
Individual Force Used:		○ Directed ○ Rescue ○ Medical Assist		Individual Category ○ 1 ○ 2 ○ 3	
☐ Injured ☐ Treated ☐ Admitted	Facility:			Coroner Case #	

On Duty Supervisor

☐ Additional Involved Employees

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	O'Donoghue	Sean	S.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Oakley	Christopher	M.	Sgt.	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Grall	David	M.	Lt.

LT. Grall
Watch Commander / Supervising Lieutenant's **Signature:**

8/19/19
Date

Copy Provided to Employee by: ______ Emp #: ______

Unit Commander **(Print Name)** ______ Unit Commander's **Signature**: ______ Emp #: ______ Date ______

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

9 1 9 - 0 5 4 1 3 - 1 3 2 0 - 1 4 5

Suspect Information

S 1

Last Name: Din | First Name: Chansophoeuy | Middle Name: Cha | Armed? Select: Not Armed

AKA Last Name: Din | First Name: Chan | Middle Name:

Sex: (●) Male ( ) Female | Race: A | Age: 37 | Height: 6'00" | Weight: 220 | D.O.B: 10/12/81 | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 5570303 | Primary Charge Code: 69 P.C. | Secondary Charge Code: 11364(a) H.S. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: Captain Rascon | Unit: Engine 45 | Phone #:

Hospital Admission? [X] | Rec'd Treatment At: Long Beach Memorial | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: 2865 Atlantic Avenue, Long Beach | Phone #: 562-933-1820

Under Influence: ( ) YES (●) NO | Substance: | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Date: 3/12/19 | Time: 1858 | [X] Audiotape: | [X] Videotape: | [X] Photos of Injuries: | [X] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S_

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Suspect Din	S1	Deputy [redacted]	E1	PH	NN	BK
Suspect Din	S1	Deputy [redacted]	E1	RS	NN	AR
Suspect Din	S1	Deputy [redacted]	E1	CT	NN	AD
Suspect Din	S1	Deputy Burgess	E2	RS	NN	AR
Deputy [redacted]	E1	Suspect Din	S1	TD	NN	BK
Deputy [redacted]	E1	Suspect Din	S1	PO	NN	HI
Deputy [redacted]	E1	Suspect Din	S1	RH	NN	WR
Deputy Burgess	E2	Suspect Din	S1	PH	FR	FA
Deputy Burgess	E2	Suspect Din	S1	RH	NN	WR
Deputy Burgess	E2	Suspect Din	S1	HB	NN	LE

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Category Three Use of Force**

IAB FILE NUMBERS: **FO 2477672**

URN#: **919-05413-1320-145**

DATE/TIME: **March 12, 2019; 1200 Hours**

LOCATION: **Candlewood Street / Deeboyar Avenue**
Lakewood, California 90712

SYNOPSIS

On March 12, 2019, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Minh Dinh, Sergeant Chris Oakley, and Sergeant [redacted] responded to Long Beach Memorial Medical Center regarding a use of force resulting in an orbital fracture.

On March 12, 2019, at approximately 1310 hours, Deputies [redacted] and Burgess (unit 132G2) were travelling westbound on Candlewood Street from Deeboyar Avenue, in marked patrol vehicle. Deputies [redacted] and Burgess observed a male Asian adult (Suspect Din) standing on railroad property, approximately 15 feet east of the north / south railroad tracks, located just north of Candlewood Street. Deputies [redacted] and Burgess were assigned to the City of Lakewood, Special Assignment Team. In that capacity, they were aware of a Letter of Agency, filed by the Union Pacific Railroad, requesting deputies enforce trespassing laws on railroad property **[EXHIBIT A, SH-R-49, page 7]**. Deputies [redacted] and Burgess stopped their patrol vehicle, exited, and approached Suspect Din regarding a trespassing investigation.

As Deputies [redacted] and Burgess approached within a few feet of Suspect Din, they could see he was holding a plastic, disposable style face razor in his left hand. The deputies instructed Suspect Din to drop the razor. Suspect Din did not follow the instructions and stated, "Leave me alone." Deputies [redacted] and Burgess observed Suspect Din displayed objective signs of being under the influence of a controlled substance, possibly methamphetamine. Suspect Din was fidgeting, swaying, grinding his teeth, and he appeared to have dilated pupils.

Deputies [redacted] and Burgess gave Suspect Din additional commands to drop the razor as well as to place his hands behind his back. Suspect Din refused, stated "No," and stepped backward. In order to detain Suspect Din and to prevent him from possibly running away, Deputies [redacted] and Burgess approached Suspect Din.

Deputy [redacted] took hold of Suspect Din's left wrist and knocked the razor from Suspect Din's grasp. Deputy Burgess took hold of Suspect Din's right wrist. Suddenly, Suspect Din jerked his arms free from their hold and quickly turned to face them. Suspect Din took a fighting stance by spreading his feat front to back, forming his hands into fists and raising them up to his chest. Deputies [redacted] and Burgess believed Suspect Din was about to assault them.

Deputy [redacted] leaned forward and took hold of Suspect Din's thighs, intent on forcing Suspect Din to the ground. Deputy Burgess took hold of Suspect Din's upper body. The deputies believed taking Suspect Din to the ground was the quickest and safest way to prevent an attack while using a minimum amount of force. Suspect Din physically resisted the deputies' efforts to control him by lowering his body, spreading his legs and pushing back against the deputies. Within a few moments, Deputies [redacted], Burgess and Suspect Din seemed to trip over each other and fall to the ground. Suspect Din landed on his back with Deputy [redacted] on top of him. Suspect Din and Deputy [redacted] were chest to chest, facing each other, and Suspect Din had his legs around Deputy [redacted] in a guard position.

IAB Note: The "guard position" is a ground fighting technique where the person on the bottom wraps their legs around the person on top and uses them to control their movements.

Suspect Din began to strike Deputy [redacted] in the upper back and neck area with his fists, using a hammering motion. Deputy Burgess ordered Suspect Din to "stop fighting," however; he continued to strike Deputy [redacted]. Deputy Burgess quickly determined the use of OC Spray or a Taser were not safe options due to the close proximity of Suspect Din and Deputy [redacted]. In an effort to prevent Suspect Din from injuring Deputy [redacted], Deputy Burgess punched Suspect Din four to five times in the left side of his face while continually ordering him to "stop fighting." The punches appeared effective and Suspect Din stopped his assault on Deputy [redacted]

Deputies [redacted] and Burgess rolled Suspect Din face down in an attempt to handcuff him. Suspect Din pulled his hands under his body toward his waistband and refused to allow the deputies to handcuff him. Deputies [redacted] and Burgess ordered Suspect Din to put his arms behind his back as they attempted to pull his arms out from under him. Suspect Din continued to physically resist the deputies' efforts by holding his arms under his body.

The deputies requested assistance over Dispatch 13, using their portable radios **[EXHIBIT B, Dispatch Audio]**.

> **IAB Note: Dispatch 13 is the primary radio dispatch channel utilized by Lakewood Station patrol personnel.**

Deputy [redacted] used his right knee to strike Suspect Din once in the right hip area. The strike was effective and Suspect Din removed his arms from under his body. Suspect Din was handcuffed without further incident. Deputy Burgess placed a hobble restraint around Suspect Din's legs. Suspect Din did not resist.

Deputy [redacted] requested Los Angeles County Paramedics respond to the scene to treat Suspect Din. He was treated on scene and subsequently transported via ambulance to Lakewood Regional Medical Center. After further evaluation, Suspect Din was determined to have a fractured left orbital bone. He was later transferred to Long Beach Memorial Medical Center and admitted. Suspect Din was issued a citation for an outstanding misdemeanor warrant and released.

Deputies [redacted] and Burgess reported their use of force to Sergeant Sean O'Donoghue. All the reports documenting the incident are submitted as **[EXHIBIT A, SH-R-49 and Supplemental Reports].**

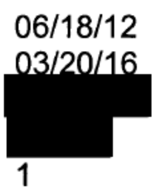
INVOLVED PERSONNEL

Employee

[redacted], #[redacted], Deputy Sheriff
South Patrol Division
Lakewood Station

Work History

Date of Employment:	06/18/12
Date Assigned to Patrol/Lakewood Station:	03/20/16
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	[redacted]
Prior Founded Force Incidents:	1



Equipment Worn On Person

Oleoresin Capsicum (OC) Spray, Tourniquet, keys, firearm, (2) handcuffs, radio, (2) magazines.

Employee

Seth Burgess, #[redacted], Deputy Sheriff
South Patrol Division
Lakewood Station

Work History

Date of Employment:	07/20/15
Date Assigned to Patrol/Lakewood Station:	05/07/17
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray, keys, firearm, (2) handcuffs, radio, taser, (2) magazines

SUSPECT INFORMATION

Chansophoeuy Din
Male, Asian, DOB: October 12, 1981, 6'00", 220 pounds
[redacted]
CII #[redacted], MAIN #[redacted], FBI #[redacted]

IAB Note: A copy of Suspect Din's Consolidated Criminal History Report is included [Miscellaneous Documents].

SUSPECT'S INJURIES

Suspect Din sustained an orbital fracture to his left eye area, abrasions near his left eyebrow, swelling to his left cheek and lips, and abrasions to both knees. See photographs submitted as **[EXHIBIT B, Photos]**.

IAB investigators spoke with Dr. Rey Sebastian on March 12, 2019, in the Long Beach Memorial Emergency Room. Dr. Sebastian stated the injuries sustained by Suspect Din were consistent with the force reported by deputies.

Suspect Din was admitted to Long Beach Memorial Medical Center on March 12, 2019, and discharged on March 14, 2019.

Suspect Din's urine test results revealed the presence of methamphetamine.

IAB Note: A copy of Suspect Din's Long Beach Memorial Medical Center, Medical Report is included [EXHIBIT C].

DEPUTY PERSONNEL INJURIES

Deputy [redacted] sustained a small laceration to his right index finger and abrasions to both hands and both knees **[EXHIBIT B, Photos]**.

Deputy Burgess sustained abrasions to his left hand and pain and swelling to his right hand **[EXHIBIT B, Photos]**.

PHYSICAL EVIDENCE

All physical evidence was located and collected by Deputy [redacted] and Deputy Mastuantano. For descriptions of the evidence collected and where it was collected, see **[EXHIBIT A, SH-R-49, page 4]**.

INVESTIGATOR'S OBSERVATIONS

Approximately 6 hours transpired from the use of force to IAB Investigator's observations. Suspect Din was seated in a hospital bed at Long Beach Memorial Medical Center. He appeared alert and was able to answer questions. He wore his personal clothing. His left eye, left cheek and lips were swollen. He had abrasions near his left eyebrow **[EXHIBIT B, Photos]**.

Investigators responded to the scene the next day to view the location in similar conditions to the time of the incident. The location is approximately 30 feet north of Candlewood Avenue, adjacent to north-south railroad tracks to the west. The ground is dirt and loose gravel and littered with trash.

The scene was photographed by Sergeants John Finney, #[redacted] and Sean O'Donaghue immediately after the incident, as well as by IAB investigators the following day **[EXHIBIT B, Photos]**.

WEAPONS USED BY DEPUTY [redacted]

None

WEAPONS USED BY SUSPECT DIN

None

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the assault upon Deputy [redacted] was handled by Lakewood Station Detective Theo Gekas. The District Attorney's Office filed one misdemeanor count of 69 P.C., one misdemeanor count of 369I(A) P.C. and one misdemeanor count of 11364 H.S. An arrest warrant has been issued for the indicated charges **(Miscellaneous Documents, Criminal Index Minute Order)**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours. The weather was clear.

STATEMENTS

The following narratives are intended only as a synopsis of the interviews. Additional information and precise wording may be obtained by reviewing the digitally audio recorded interviews and verbatim transcriptions.

WITNESS SERGEANT SEAN O'DONOGHUE

On July 9, 2019, Sergeant Sean O'Donoghue was interviewed by IAB Sergeant Chris Oakley at the IAB office. Sergeant O'Donoghue relayed the following.

On March 12, 2019, Sergeant O'Donoghue was assigned as the City of Lakewood, Special Assignment Team Sergeant. Deputies [redacted] and Burgess were members of the team and Sergeant O'Donoghue was their direct supervisor. On that date, Sergeant O'Donoghue heard emergent radio traffic of Deputies [redacted] and Burgess involved in a fight near Candlewood Street and Deeboyar Avenue. Sergeant O'Donoghue responded to the location from Lakewood Station.

Upon his arrival at the location, Sergeant O'Donoghue saw multiple Sheriff's Department personnel on scene as well as Los Angeles County Fire Department personnel. The Fire personnel were treating Suspect Din who was handcuffed and lying on the ground approximately 30 feet from the railroad tracks. Suspect Din had abrasions to his body and lacerations to his face.

Deputies [redacted] and Burgess reported their use of force to Sergeant O'Donoghue. He recalled both deputies told him they contacted Suspect Din near the railroad tracks. Suspect Din was holding a razor and uncooperative. Suspect Din aggressed the deputies and a fight ensued. Sergeant O'Donoghue could not recall the specifics of the force reported by Deputies [redacted] and Burgess.

Sergeant O'Donoghue began to manage the scene as the handling supervisor. He ensured Suspect Din and Deputies [redacted] and Burgess received necessary medical treatment. Sergeant O'Donoghue photographed the scene and also checked the area for witnesses and video surveillance. He was unable to locate witnesses or video.

Sergeant O'Donoghue responded to Lakewood Regional Medical Center to participate in the Watch Commander interview of Suspect Din. He learned Suspect Din suffered a broken orbital bone and would be transferred to Long Beach Memorial Hospital.

Sergeant O'Donoghue was familiar with the Letter of Agency which was filed with the Sheriff's Department by Union Pacific Railroad. He added it was common for Lakewood Station personnel and specifically the Special Assignment Team members, to patrol the area of the railroad tracks.

Sergeant O'Donoghue reviewed and approved the reports authored by Deputies [redacted] and Burgess **[EXHIBIT A]**.

INVOLVED EMPLOYEE [redacted]

On July 24, 2019, Deputy [redacted] was interviewed by IAB Sergeants Chris Oakley and Francois Chang at the IAB office. During the interview, Deputy [redacted] was represented by Attorney Elizabeth Gibbons from The Gibbons Firm, PC. Deputy [redacted] relayed the following.

On March 12, 2019, Deputy [redacted] was working as a Special Assignment Team deputy in the City of Lakewood. He was working a two person car with Deputy Burgess. Deputies [redacted] and Burgess had been partners for several weeks and discussed their roles and tactics on a daily basis [redacted] **Transcript, page 3)**.

Deputies [redacted] and Burgess were patrolling near the area of Candlewood Street and Deeboyar Avenue when they saw Suspect Din standing approximately 10-15 feet away from the north / south railroad tracks, north of Candlewood Street. Deputy [redacted] was aware of a Letter of Agency which was filed by the Union Pacific Railroad requesting deputies enforce trespassing laws on railroad property. Deputies [redacted] and Burgess stopped their vehicle and approached Suspect Din on foot to speak to him regarding the violation [redacted] **Transcript, page 4)**.

Deputy [redacted] spoke to Suspect Din and asked what he was doing. Suspect Din responded by telling the deputies to leave him alone. Deputy [redacted] saw Suspect Din was holding a plastic face-shaving razor in his left hand. Believing the razor could be used as an improvised weapon, Deputy [redacted] ordered Suspect Din to drop the razor. Suspect Din did not comply with the command.

Deputy [redacted] noticed Suspect Din was displaying symptoms of being under the influence of a controlled substance, possibly methamphetaming. He advised Deputy Burgess of his observations. The deputies planned to detain Suspect Din for a trespassing and under the influence investigation. Deputy [redacted] ordered Suspect Din to turn around and place his hands behind his back. Suspect Din stated, "No" and took a step backward while still holding the razor [redacted] **Transcript, page 5)**.

Deputy [redacted] believed Suspect Din may attempt to flee so he approached Suspect Din and took hold of his left wrist. Deputy [redacted] used his free hand to push the razor from Suspect Din's hand. Deputy Burgess approached and took hold of Suspect Din's right wrist. The deputies attempted to handcuff Suspect Din.

Suspect Din quickly pulled his arms free from the deputies' grasp and turned to face Deputy [redacted] Because Suspect Din did not flee and instead turned to face Deputy [redacted] Deputy [redacted] believed Suspect Din was about to assault him [redacted] **Transcript, pages 5, 9)**.

Deputy [redacted] immediately responded to the threat by attempting to tackle Suspect Din to the ground. Deputy [redacted] told IAB investigators he thought a takedown would create a position of advantage for him and Deputy Burgess and allow them to handcuff Suspect Din with minimal force [redacted] **Transcript, page 9)**.

Deputy [redacted] leaned into Suspect Din and grabbed both of his legs. Suspect Din lowered his weight and "sprawled out" to avoid being tackled. Deputy [redacted] described this a "standing wrestling match." Suspect Din began to strike Deputy [redacted] in the upper back, neck and back of his head.

Suddenly Deputy [redacted] and Suspect Din fell to the ground. This was either due to the loose gravel or from Suspect Din losing his balance. Suspect Din landed on his back and Deputy [redacted] landed on top of him, chest to chest. Deputy [redacted] was in-between Suspect Din's legs. Suspect Din began to strike Deputy [redacted] in the upper back and neck once again [redacted] **Transcript, pages 5, 11)**.

> **IAB Note: Deputy [redacted] was unsure if Suspect Din hit him while they were standing or only after falling to the ground. In his initial report, he stated Suspect Din began to strike him while they were standing [EXHIBIT A].**

Deputy [redacted] tucked his head down into Suspect Din's armpit area to avoid being hit in the face. Deputy [redacted] felt several more strikes from Suspect Din to his upper back and neck. Both Deputy [redacted] and Deputy Burgess gave Suspect Din commands to "stop" and "stop fighting" ([redacted] **Transcript, page 11)**

Deputy [redacted] heard what he believed to be a punch thrown by Deputy Burgess. He looked up and saw Deputy Burgess punch Suspect Din two to three times in the face. The punches were effective and caused Suspect Din to stop striking Deputy [redacted] Deputies [redacted] and Burgess were able to roll Suspect Din over.

Suspect Din pulled his arms under his body and toward his waistband. Deputy [redacted] did not know if Suspect Din was armed with additional weapons as he had not been searched. Deputies [redacted] and Burgess attempted to pull Suspect Din's arms out from under his body while simultaneously giving him commands to place his arms behind his back.

During this time Deputy Burgess made an initial request for assistance via radio. Deputy [redacted] broadcast an updated location and clarified the need for assistance **[EXHIBIT B, Dispatch Audio]**.

Suspect Din continued to hold his arms under his body and resist the deputies' efforts to handcuff him. Deputy [redacted] used his right knee to strike Suspect Din once in the right hip. Suspect Din immediately removed his arms from under his body and allowed himself to be handcuffed ([redacted] **Transcript, pages 5, 12-13)**.

Once Suspect Din was handcuffed, Deputy [redacted] requested paramedics respond to treat Suspect Din. Suspect Din's face was swollen and bleeding. Deputy [redacted] later learned Suspect Din sustained a broken orbital bone.

Deputy [redacted] suffered multiple abrasions to his hands and knees. Following the incident, a glass pipe, commonly used to ingest methamphetamine, was recovered from Suspect Din's property.

Deputy [redacted] notified Sergeant O'Donoghue of the force he used and he documented his actions in an incident report **[EXHIBIT A, SH-R-49]**.

INVOLVED EMPLOYEE DEPUTY SETH BURGESS

On July 24, 2019, Deputy Seth Burgess was interviewed by IAB Sergeants Chris Oakley and Francios Chang at the IAB office. During the interview, Deputy Burgess was represented by Attorney Elizabeth Gibbons from The Gibbons Firm, PC. Deputy Burgess relayed the following.

On March 12, 2019, Deputy Burgess was assigned to the City of Lakewood, Special Assignment Team. He was working a two person unit with Deputy [redacted]. Deputy Burgess and Deputy [redacted] had been partners for approximately 2 months. On numerous occasions, the two discussed tactics and their specific roles as partners **(Burgess Transcript, page 3)**.

Deputy Burgess and Deputy [redacted] were travelling westbound on Candlewood Street, west of Deeboyar Avenue when they observed Suspect Din standing 15-20 feet from the Union Pacific railroad tracks. Deputy Burgess and Deputy [redacted] had made numerous arrests and numerous contacts with probationers and parolees in that area. Additionally, Deputy Burgess was aware of a Letter of Agency which was on file with the Sheriff's Department. This letter authorized deputies to enforce trespassing laws on Union Pacific Railroad property **(Burgess Transcript, page 4)**.

Deputies Burgess and [redacted] stopped their vehicle to speak with Suspect Din. Deputy [redacted] was the passenger and therefore, was predesignated per their tactics as the person to speak to Suspect Din. As both deputies approached Suspect Din, Deputy Burgess could see he was holding a small disposable style razor in his left hand. The deputies attempted to speak to Suspect Din, who was immediately uncooperative. He appeared by his behavior as if he may be under the influence of a controlled substance, possibly methamphetamine.

Deputy [redacted] ordered Suspect Din to "drop the razor" and "put your hands behind your back." Suspect Din began to step backward and stated "No, for what?" Deputy Burgess believed Suspect Din was about to run away. Deputy [redacted] approached Suspect Din and took hold of his left hand, causing him to drop the razor. Deputy Burgess took hold of Suspect Din's right hand and attempted to place it behind his back.

Suddenly, Suspect Din pulled his arms from their grasps and spun around to face them. Suspect Din spread his feet, balled his hands into fists and raised them to his chest, similar to a boxer **(Burgess Transcript, page 7)**. Deputy Burgess believed Suspect Din was about physically assault him and Deputy [redacted].

Deputy Burgess and Deputy [redacted] both reached for Suspect Din to attempt to take him to the ground. Deputy Burgess told IAB investigators he believed if he could take Suspect Din to the ground, he could gain better control of him and prevent Suspect Din from punching him or his partner. He also stated he wanted to avoid using personal weapons against Suspect Din **(Burgess Transcript, page 8)**.

Deputy Burgess and Deputy [redacted] were attempting to take Suspect Din to the ground when, suddenly, all three seemed to trip and fall at once. Suspect Din landed on his back. Deputy [redacted] fell on top of Suspect Din's chest and Deputy Burgess fell to the side. Deputy Burgess quickly stood and saw Suspect Din striking Deputy [redacted] multiple times in upper back, neck and spine, using "hammer-fist" punches **(Burgess Transcript, pages 5, 9)**. Deputy [redacted] had his head down on Suspect Din's chest and his face turned away from the punches.

IAB Note: "Hammer-fist" punches use a hammering motion to strike with the bottom, or pinky side of the fist as opposed to the knuckles in a traditional punch.

Deputy Burgess ordered Suspect Din to "stop fighting." Suspect Din continued to strike Deputy [redacted]. Deputy Burgess considered utilizing his OC spray or Taser to stop Suspect Din's assault. He quickly determined, based on how close Deputy [redacted] was to Suspect Din, he would not be able to deploy either without possibly injuring or incapacitating Deputy [redacted] Deputy Burgess punched Suspect Din four to five times in the face while continuing to order him to "stop fighting." Suspect Din stopped his assault on Deputy [redacted] **(Burgess Transcript, page 5, 11)**.

Deputy Burgess and Deputy [redacted] were able to roll Suspect Din to his stomach. Suspect Din pulled his hands under his body and refused to be handcuffed. Deputy Burgess requested assistance via his handheld radio. Deputy [redacted] gave Suspect Din multiple commands to "get your hands out." Suspect Din continued to resist. Deputy [redacted] struck Suspect Din once in the right side with his knee, causing Suspect Din to pull his hands out from under his body. Deputy Burgess and Deputy [redacted] handcuffed Suspect Din without further incident.

Deputy Burgess placed a hobble restraint device around Suspect Din's ankles as a precautionary measure **(Burgess Transcript, page 5)**. Suspect Din did not resist the application of the hobble. Deputy Burgess could see Suspect Din was bleeding from the face.

Deputy [redacted] requested paramedics respond to the scene.

Deputy Burgess sustained abrasions to his left hand and swelling to his right hand.

Deputy Burgess reported his use of force to Sergeant O'Donoghue and documented his actions on a supplemental report **[EXHIBIT A]**.

SUSPECT CHANSOPHOEUY DIN

On March 12, 2019, Suspect Chansophoeuy Din was interviewed by Lakewood Station Detective Theo Gekas, #[redacted] and Lakewood Station Deputy Pascuale Mastantuano, #[redacted] IAB Sergeants Chris Oakley, [redacted] and Lieutenant Minh Dinh were present. Following the interview by Lakewood Station personnel, Sergeants Chris Oakley, [redacted] and Lieutenant Minh Dinh conducted a second interview. The interviews took place in the Long Beach Memorial Medical Center emergency room.

Suspect Din stated he was standing approximately 10-15 feet from the railroad tracks, shaving, when he was approached by two deputies. The deputies told him to drop the razor and place his hands behind his back. Suspect Din did not immediately comply and was confused by why the deputies were giving him the instructions. The two deputies approached closer and reiterated the instructions.

Suspect Din ultimately dropped the razor, but felt offended by how quickly the deputies approached him. Suspect Din considered "grappling" with the deputies and acknowledged the deputies may have perceived that as a threat **(Din LKD DB Transcript, page 5)**.

> **IAB Note: During his interview with IAB investigators, Suspect Din denied stating he considered "grappling" with the deputies (Din IAB Transcript, page 10).**

The two deputies attempted to handcuff him behind his back. Suspect Din stated he was cooperating; however, he also stated the deputies were struggling with him. He could not explain why the deputies were struggling **(Din IAB Transcript, pages 4-5)**.

Somehow, Suspect Din and the deputies ended up on the ground. He was unable to explain how this occurred **(Din IAB Transcript, page 5-7)**. Suspect Din stated once on the ground, he was handcuffed with his hands behind his back. After he was handcuffed, a deputy punched him multiple times in the face **(Din IAB Transcript, pages 9-10)**.

> **IAB Note: Suspect Din told Deputy Mastantuano he was un-handcuffed and attempting to cover his face when he was punched (Din LKD DB Transcript, page 6). He eventually told IAB investigators he was attempting to block the punches (Din IAB Transcript, page 11).**

Suspect Din told IAB investigators, while he was on the ground and the deputies were attempting to handcuff him, the deputies instructed him to "relax, relax" **(Din IAB Transcript, page 11)**. Once he was handcuffed, a deputy "tied" his legs together. Paramedics responded and treated him at the scene. Suspect Din was transported by ambulance to Lakewood Regional Medical Center and diagnosed with a broken orbital bone. He was subsequently transported to Long Beach Memorial.

IAB investigators asked Suspect Din if he used narcotics. He stated he used "crystal, ice and oil." He added he used "crystal" two days prior.

> **IAB Note: The terms "Crystal" and "Ice" are common street slang for methamphetamine. "Oil" may refer to hashish oil or concentrated cannabis.**

Suspect Din also admitted to "vaping" used cigarette lighters by setting them on fire. He could not clearly describe or explain what that meant **(Din IAB Transcript, page 14, 18-20)**.

IAB investigators questioned Suspect Din about his mental health history. Suspect Din stated he had previously seen a psychiatrist for depression stemming from financial debt. Suspect Din was also asked about any possible previous head injuries. He responded by stating "People claim that I gave them a head injury" **(Din IAB Transcript, page 18-19)**.

> **IAB Note: During the interviews, Suspect Din made numerous incoherent statements. At times he appeared to understand the questions and give appropriate answers. At other times his statements were completely nonsensical. Video of Suspect Din's IAB interview is included [EXHIBIT D].**